

Town of Rowe



Annual Town Meeting & Election Voter Information Guide

Special Town Meeting:

Monday, May 9, 2022

6:30 pm

Rowe Fire Station

Town Meeting:

Monday, May 9, 2022

7:00 pm

Rowe Fire Station

Town Election:

Saturday, May 14, 2021

10:00 am - 2:00 pm

Rowe Elementary School Gymnasium

Mask Wearing and Social Distancing Recommended

Special Town Meeting:

Monday, May 9, 2022

6:30 pm at the Rowe Fire Station

ARTICLE 1: To see if the Town will vote to **APPROPRIATE** from the **Free Cash** the sum of \$3,875.00 for the cleaning of the **Pelham Lake Park Tennis Courts** for 2022 Summer usage, or take any action in relation thereto.

Explanation: While there is a proposal to completely rebuild the Tennis Courts, it will take some time to research and put out to bid. In the interim, cleaning the courts for the Summer usage needs to be done as soon as possible and a Special Town Meeting Article will enable the use of funds immediately without waiting until July 1st enabling the use in early Summer.

Requested by the Park Commission

ARTICLE 2: To see if the Town will vote to **APPROPRIATE** from the **Free Cash** the sum of \$7,800.00 for the Mill Pond and Pelham Lake Dam Inspections, or take any action in relation thereto.

Explanation: A requirement of the state is that our dams are inspected every five years.

Recommended by the Board of Selectmen vote 3-0-0

ARTICLE 3: To see if the Town will vote to **APPROPRIATE** from the **Free Cash** the sum of \$20,000.00 for the cost of repairs to the heating system at Rowe Town Hall, or take any action in relation thereto.

Recommended by the Board of Selectmen vote 3-0-0

ARTICLE 4: To transact any other business of a lawful and pertinent nature that may come before the meeting.

ROWE BOARD OF SELECTMEN

Town Meeting:

Monday, May 9, 2022

7:00 pm at the Rowe Fire Station

ARTICLE 1: To act on reports of the Town Officers and Committees.

ARTICLE 2: To see if the Town will vote to authorize, pursuant to M.G.L. c.44 §53E½ and the Town of Rowe General Bylaws, the following sums for **REVOLVING FUNDS**, or take any action in relation thereto:

Revolving Fund	Entity Authorized to Spend from Fund	Fees, Charges, or Receipts Credited to Fund	Program or Activity Expenses Payable from Fund	Restrictions or Conditions on Expenses Payable from Fund	Fiscal Years
Emergency Dispensing Site	Board of Health	Receipts Related to the Emergency Dispensing Site Operations	Dispensing medicines or medical supplies during an emergency	Limit of \$1,000.00	Fiscal Year 2023
Recycling Program	Board of Health	Receipts Related to the Recycling Program	Operation of solid waste and recycling programs, membership in and services of the Franklin County Solid Waste Management District, and the purchase of recycled content or environmentally preferable products	Limit of \$5,000.00	Fiscal Year 2023
Vaccine Services	Board of Health	Receipts from Insurance Billing	Vaccine Services	Limit of \$6,000.00	Fiscal Year 2023
School Programs	School Committee	Fees for School Programs	Offset Department Costs of School Programs	Limit of \$10,000.00	Fiscal Year 2023
Old Home Day	Old Home Day Committee	Receipts Generated by Old Home Day Activities and Programs	Expenses of Old Home Day	Limit of \$2,000.00	Fiscal Year 2023
Refuse Garden	Board of Health	Receipts Related to the Refuse Garden Operations	Operation of the town Refuse Garden	Limit of \$5,000.00	Fiscal Year 2023 and Subsequent Years
Planning Board Legal/ Consulting	Planning Board	Receipts Related to Fees for Special Permits and Other	Legal consultation and representation	Limit of \$50,000.00	Fiscal Year 2023 and Subsequent Years

		Work of the Planning Board			
Park Programs	Park Commission	Receipts Related to Park Programs	Operation of programs run by the Pelham Lake Park	Limit of \$2,000.00	Fiscal Year 2023 and Subsequent Years

ARTICLE 3: To see if the Town will vote to **AUTHORIZE** the **BOARD OF SELECTMEN** to apply for, accept, and expend federal and state grants as may be available, or take any action in relation thereto.

ARTICLE 4: To see if the Town will vote to **AUTHORIZE** the **TREASURER** to enter into compensating balance agreements during the 2023 fiscal year, pursuant to M.G.L. c.44 §53F, or take any action in relation thereto.

ARTICLE 5: To see if the Town will vote to **RAISE AND APPROPRIATE** the following sums and to set the stipends/salary compensation for all elected officials of the town as provided by M.G.L. c.41 §108, to be made effective from July 1, 2022, as follows or take any action in relation thereto:

Elected Boards & Committees:

Board of Assessors (3)	\$5,354.00
Board of Health (3)	\$4,938.00
Board of Selectmen (3)	\$5,928.00
School Committee (3)	\$4,564.00

Elected Town Officers

Constable	\$549.00
Moderator	\$439.00
Town Clerk	\$13,835.00

TOTAL ELECTED OFFICIALS SALARIES FROM TAXATION\$35,607.00

*Recommended by the Finance Committee vote 3-0-0
Recommended by the Board of Selectmen vote 3-0-0*

ARTICLE 6: To see if the Town will vote to **RAISE AND APPROPRIATE** the sum of **\$100,000.00** for the purpose of paying down **PRINCIPAL ON THE BROADBAND DEBT** and to **RAISE AND APPROPRIATE** the sum of **\$3,200.00** for **INTEREST ON INDEBTEDNESS** for the 2023 Fiscal Year or take any action in relation thereto.

*Recommended by the Finance Committee vote 3-0-0
Recommended by the Board of Selectmen vote 3-0-0*

ARTICLE 7: To see if the Town will vote to **RAISE AND APPROPRIATE** the following sums for **THE CONDUCT OF GENERAL GOVERNMENT**, including the charges and expenses of the various town offices, for the 2023 Fiscal Year or take any action in relation thereto:

Administration

General Administration	\$129,672
Municipal Audit	\$8,000
Executive Secretary	\$56,227
Administrative Assistant to the Boards	\$42,033
Town Hall Custodian Wages	\$13,260
Custodian Expenses	\$4,775
Legal.....	\$8,000
Tax Collector Legal Expense.....	\$10,000

Tax Collector Salary	\$15,080
Tax Collector Operations	\$9,000
Treasurer Salary	\$45,240
Treasurer Operations.....	\$10,250
Assistant Town Clerk Stipend	\$1,200
Town Clerk Expenses	\$6,205
Conservation Commission	\$1,180
Council on Aging	\$3,800
Goal Post Editor Wages	\$6,432
Goal Post Operations	\$2,500
Veteran's Services.....	\$4,831
FRCOG Services.....	\$32,332
Town Accountant Salary	\$45,482*
<u>Town Accountant Expenses.....</u>	<u>\$4,170</u>
Subtotal Administration	\$459,669

Board of Assessors

Assessors' Clerk Wages.....	\$13,000
Assessors' Reval/Annual Updates.....	\$28,600
<u>Assessors' Operations.....</u>	<u>\$7,950</u>
Subtotal Board of Assessors	\$49,550

Planning Board

Planning Board Operations.....	\$1,500
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TOTAL GENERAL GOVERNMENT FROM TAXATION \$510,719

***Explanation:** 40% of the Town Accountant's salary is paid for by the Town of Monroe through a shared services agreement.

*Recommended by the Finance Committee vote 3-0-0
Recommended by the Board of Selectmen vote 3-0-0*

ARTICLE 8: To see if the Town will vote to aggregate all funds appropriated for legal expenses, excluding Assessors Consultant/Legal Support, to one combined Town Legal Expense account or take any action in relation thereto.

Presented and Recommended by the Board of Selectmen vote 3-0-0

ARTICLE 9: To see if the Town will vote to **RAISE AND APPROPRIATE** the sum of **\$20,000.00** to be used as a **RESERVE FUND**, pursuant to M.G.L. c.40, §6 for the extraordinary or unforeseen expenditures for the 2023 Fiscal Year or take any action in relation thereto.

*Recommended by the Finance Committee vote 3-0-0
Recommended by the Board of Selectmen vote 3-0-0*

ARTICLE 10: To see if the Town will vote to **RAISE AND APPROPRIATE** the following sums for the operation and maintenance of **PUBLIC WORKS AND FACILITIES** for the 2023 Fiscal Year or take any action in relation thereto:

Highway Department

DPW Salaries and Wages	\$329,059
DPW Operations	\$221,915
<u>Winter Roads</u>	<u>\$68,612</u>
Subtotal Highway Department	\$619,586

Other Public Works & Facilities

Street Lighting.....	\$5,500
Municipal Light Plant Manager Stipend.....	\$7,400

Dam Maintenance/Repair	\$1,200
Subtotal Other Public Works & Facilities	\$14,100

Cemetery Commission

Cemetery Operations	\$15,250
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TOTAL PUBLIC WORKS & FACILITIES FROM TAXATION \$648,936

Recommended by the Finance Committee vote 3-0-0

Recommended by the Board of Selectmen vote 3-0-0

ARTICLE 11: To see if the Town will vote to **APPROPRIATE** from **ANY AVAILABLE FUND** the sum of **\$141,139.00** for the maintenance, repair, improvement, and construction of town highways, or any other purpose allowed under Chapter 90, which amounts shall be reimbursed by the Commonwealth of Massachusetts through funds made available by Chapter 90 or take any action in relation thereto.

Recommended by the Finance Committee vote 3-0-0

Recommended by the Board of Selectmen vote 3-0-0

ARTICLE 12: To see if the Town will vote to **RAISE AND APPROPRIATE** the following sums for **PUBLIC SAFETY** for the 2023 Fiscal Year or take any action in relation thereto:

Police Department

Police Salaries	\$65,041
Police Officer Training.....	\$3,325
<u>Police Operations.....</u>	<u>\$12,700</u>
Subtotal Police Department	\$81,066

Fire Department

Fire Department Stipends & Wages	\$36,671
<u>Fire Department Operations</u>	<u>\$46,500</u>
Subtotal Fire Department	\$83,171

Emergency Management

Emergency Management Stipends.....	\$3,864
Emergency Management Operations.....	\$1,000
<u>Generator Maintenance</u>	<u>\$3,500</u>
Subtotal Emergency Management	\$8,364

Animal Control and Inspection

Animal Control Stipends	\$1,157
Animal Inspector Stipend	\$532
<u>Regional Dog Kennel.....</u>	<u>\$350</u>
Subtotal Animal Control	\$2,039

TOTAL PUBLIC SAFETY FROM TAXATION \$174,640

Recommended by the Finance Committee vote 3-0-0

Recommended by the Board of Selectmen vote 3-0-0

ARTICLE 13: To see if the Town will vote to **RAISE AND APPROPRIATE** the following sums for **PUBLIC HEALTH** for the 2023 Fiscal Year or take any action in relation thereto:

Public Health

Health Department Stipends and Wages	\$79,964
Board of Health Operations	\$68,094

TOTAL PUBLIC HEALTH FROM TAXATION \$148,058

Recommended by the Finance Committee vote 3-0-0
Recommended by the Board of Selectmen vote 3-0-0

ARTICLE 14: To see if the Town will vote to **RAISE AND APPROPRIATE** the following sums for **PUBLIC SCHOOLS** for the 2023 Fiscal Year or take any action in relation thereto:

Education

Rowe School PreK-6 Operating Budget \$1,173,281
Rowe School Secondary 7-12 \$516,370

TOTAL PUBLIC SCHOOLS FROM TAXATION\$1,689,651

Recommended by the Finance Committee vote 3-0-0
Recommended by the Board of Selectmen vote 3-0-0

ARTICLE 15: To see if the Town will vote to **RAISE AND APPROPRIATE** the following sums for **ROWE TOWN LIBRARY** for the 2023 Fiscal Year or take any action in relation thereto:

Rowe Town Library

Library Wages \$49,850
Library Operations \$25,477

TOTAL ROWE TOWN LIBRARY FROM TAXATION \$75,327

Recommended by the Finance Committee vote 3-0-0
Recommended by the Board of Selectmen vote 3-0-0

ARTICLE 16: To see if the Town will vote to **RAISE AND APPROPRIATE** the following sums for **MANAGEMENT AND OPERATION OF PELHAM LAKE PARK** for the 2023 Fiscal Year or take any action in relation thereto:

Pelham Lake Park

Park Wages \$108,793
Park Operations \$22,550

TOTAL PELHAM LAKE PARK FROM TAXATION \$131,343

Recommended by the Finance Committee vote 3-0-0
Recommended by the Board of Selectmen vote 3-0-0

ARTICLE 17: To see if the Town will vote to **RAISE AND APPROPRIATE** the following sums for **CULTURE AND RECREATION** for the 2023 Fiscal Year or take any action in relation thereto:

Culture and Recreation

Beautification..... \$500

TOTAL CULTURE AND RECREATION FROM TAXATION \$500

Recommended by the Finance Committee vote 3-0-0
Recommended by the Board of Selectmen vote 3-0-0

ARTICLE 18: To see if the Town will vote to **RAISE AND APPROPRIATE** the following sums for **PENSIONS AND INSURANCE** for the 2023 Fiscal Year or take any action in relation thereto:

Pensions and Insurance

Franklin County Retirement Assessment..... \$160,749
Unemployment Insurance \$20,000

Group Health/Dental/Life Insurance \$620,000
Medicare Tax – Town Share \$27,000

TOTAL PENSIONS AND INSURANCE FROM TAXATION \$827,749

Recommended by the Finance Committee vote 3-0-0

Recommended by the Board of Selectmen vote 3-0-0

ARTICLE 19: To see if the Town will vote to **APPROPRIATE** from **FREE CASH** the following sums for **SPECIAL PROJECTS** or take any action in relation thereto:

PARK UTV/Accessories..... \$36,000
ASSESSORS Consultant/Legal Support \$50,000
TOTAL SPECIAL PROJECTS FROM FREE CASH \$86,000

Recommended by the Finance Committee vote 3-0-0

Recommended by the Board of Selectmen vote 3-0-0

ARTICLE 20: To see if the Town will vote to **APPROPRIATE** from **FREE CASH** the sum of \$8,000 for a Mini Excavator for the Park Department contingent on the receipt of a \$32,000 grant for that Mini Excavator or take any action in relation thereto.

Recommended by the Finance Committee vote 3-0-0

Recommended by the Board of Selectmen vote 3-0-0

ARTICLE 21: To see if the Town will vote to **RAISE AND APPROPRIATE**, or to transfer from **ANY AVAILABLE FUND**, a sum of **\$25,000** to pay the Franklin County Retirement System in addition to the annual assessment or take any other action in relation thereto.

Recommended by the Finance Committee vote 3-0-0

Not Recommended by the Board of Selectmen vote 3-0-0

ARTICLE 22: To see if the Town will vote to **RAISE AND APPROPRIATE**, or to transfer from **ANY AVAILABLE FUND**, or to **BORROW**, the sum of One Million Eight Hundred and Fifty Thousand Dollars for the purpose of resurfacing various public roadways or take any other action in relation thereto. The funds are to be expended at the direction of the Board of Selectmen and the Director of the Department of Public Works.

Recommended by the Finance Committee vote 3-0-0

Board of Selectmen Note: Borrowing requires both a 2/3 majority vote at a Town Meeting

ARTICLE 23: To see if the Town will vote to **RAISE AND APPROPRIATE**, or to transfer from **ANY AVAILABLE FUND**, or to **BORROW**, the sum of Fifty Thousand Dollars for the purpose of various capital improvements at the Rowe School or take any other action in relation thereto. The funds are to be expended at the direction of the School Committee.

Recommended by the Finance Committee vote 3-0-0

Board of Selectmen Note: Borrowing requires both a 2/3 majority vote at a Town Meeting

ARTICLE 24: To see if the Town will vote to **RAISE AND APPROPRIATE**, or to transfer from **ANY AVAILABLE FUND**, or to **BORROW**, sum of One Hundred Thousand Dollars for the purpose of Rehabilitating a Tennis Court at Pelham Park, or take any other action in relation thereto. The funds are to be expended at the direction of the Board of Selectmen and the Park Department.

Recommended by the Finance Committee vote 3-0-0

Board of Selectmen Note: Borrowing requires both a 2/3 majority vote at a Town Meeting

ARTICLE 25: To see if the Town will vote to **TRANSFER** a 75% of remaining un-allocated **FREE CASH** to the **STABILIZATION FUND** and 25% of remaining un-allocated **FREE CASH** to the **OPEB STABILIZATION FUND** or take any action in relation thereto.

Recommended by the Board of Selectmen vote 3-0-0

ARTICLE 26: To see if the town will vote to amend Article III, Section 5 of the Town's General Bylaws by replacing existing language with the following:

Section 5: Treasurer-Collector

- a. The Board of Selectmen shall appoint a treasurer-collector for a term of three years, who shall be bonded, and who shall have all powers and duties under Massachusetts General Laws, Chapter 41.*
- b. The treasurer-collector may, with approval of the Board of Selectmen, appoint an assistant treasurer-collector in accordance with Massachusetts General Laws, Chapter 41, §39A.*
- c. The treasurer-collector shall retain all Municipal Lien Certificate fees as payment for his/her personal services.*

Recommended by the Board of Selectmen vote 3-0-0

ARTICLE 27: To see if the Town will vote to authorize the Board of Selectmen to accept a permanent easement from Jonathan A. Lively and Carol F. Lively, or the current owner, on property located at Petrie Road, which property is identified as Assessor's Parcel 407 0 020, described in a deed recorded with the Franklin County Registry of Deeds in Book 5956, Page 223, for the purpose of constructing, installing, maintaining and repairing equipment, wires, cables, conduits, and other appurtenances for the transmission of telecommunications and intelligence for a fiber optic internet network system, including an underground conduit having a length of 550 feet, more or less, in the approximate location shown on a plan, on file with the Town Clerk, which easement shall be on such terms and conditions as the Board of Selectmen deems appropriate, or take any action in relation thereto.

Submitted by the Municipal Light Plant Manager

ARTICLE 28: To see if the Town will vote to amend the General Bylaws by inserting the following language as Article 29, or take any other actions relative thereto:

PROHIBITION AGAINST THE BURNING OF STRUCTURES

Section 1: *Purpose*

Public and private entities, including fire departments and fire training academies, have historically engaged in the practice of intentionally setting fire to abandoned and donated structures for the purpose of conducting training or research in fire protection or prevention. While this practice may provide some benefit to new and existing members of fire departments and fire training academies, the intentionally burning of structures poses a serious risk to air pollution (310 CMR 7.07), public safety, and sensitive populations, including nursing homes, rest homes, schools, residences of people with respiratory problems, and bed ridden individuals. This practice also increases the financial liability of the Town because of possible property damage from spreading fire, the increase in respiratory health risks, and the associated costs of the discharge and cleanup of hazardous wastes and materials. The purpose of this bylaw is to minimize the financial, environmental, health, and safety risks associated with the intentional burning of structures.

Section 2: *Prohibition*

No person or entity, public or private, shall intentionally set fire to, or cause, suffer, allow, or permit the opening burning of any structure within the Town for the purpose of training or research in fire protection or prevention.

Section 3: *Exemptions*

This Bylaw shall not apply to:

- A. *The open burning of a structure for the purpose of combating or backfiring an existing fire by persons affiliated with an official firefighting agency.*
- B. *The demolition burning of a structure authorized by a forest warden, fire chief, or fire commissioner, as the case may be, under the provisions of General Laws Chapter 48, Section 13. However, no person or entity shall use the issuance of a demolition burning permit as a pretext to avoid compliance with Section 2 herein.*

Section 4: *Enforcement*

The Board of Selectmen shall enforce this bylaw by filing a complaint or request for injunctive relief in a court of competent jurisdiction.

Recommended by the Board of Selectmen 3-0-0

ARTICLE 29: To see if the town will vote to adopt a new bylaw under Article III, Section 12 of the Town's General Bylaws:

Any individual appointed to a position that has not been sworn in by the Town Clerk, Moderator, or a Justice of the Peace within 60 days of their appointment shall be deemed to have declined the position.

Or take any other action in relation thereto.

Explanation: Appointed officials routinely neglect to get sworn in after being appointed. While being sworn in is a simple, quick, and painless process, it is nevertheless an important step to take whenever a person is appointed or reappointed to a town position.

Presented by Rowe Town Clerk

Recommended by the Board of Selectmen vote 3-0-0

ARTICLE 30: To see if the town will vote to accept Chapter 39, Section 23D of the Massachusetts General Laws, commonly referred to as the 'Mullin Rule', as follows:

Section 23D: Adjudicatory hearings; attendance by municipal board, committee and commission members; voting disqualification

Section 23D. (a) Notwithstanding any general or special law to the contrary, upon municipal acceptance of this section for 1 or more types of adjudicatory hearings, a member of any municipal board, committee or commission when holding an adjudicatory hearing shall not be disqualified from voting in the matter solely due to that member's absence from no more than a single session of the hearing at which testimony or other evidence is received. Before any such vote, the member shall certify in writing that he has examined all evidence received at the missed session, which evidence shall include an audio or video recording of the missed session or a transcript thereof. The written certification shall be part of the record of the hearing. Nothing in this section shall change, replace, negate or otherwise supersede applicable quorum requirements.

(b) By ordinance or by-law, a city or town may adopt minimum additional requirements for attendance at scheduled board, committee, and commission hearings under this section.

Recommended by the Rowe Planning Board

Recommended by the Board of Selectmen vote 3-0-0

Explanation: *If accepted, this would allow members of bodies that hold public hearings to miss up to one session of a public hearing, and provided they certify in writing that they have examined all evidence and listened to a recording (or read a transcript), they would still be allowed to vote. As the Planning Board requires 4 affirmative votes for special permits and has historically had difficulty keeping a full complement of (active) members, we felt that this would be beneficial.*

ARTICLE 31: To transact any other business that may lawfully come before the meeting.